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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
08/818,245	03/14/97	OGINO	H	B208-629 CON

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EXAMINER	
BELLA, M	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/818,245	Ogino, et al.
Examiner	**Group Art Unit**
Mark Bell	2621

---The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address---

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☒ Responsive to communication(s) filed on Aug. 17, 2001.

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

☒ Claim(s) 3-4, 7, 51-76 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 3-4, 7 is/are allowed.

☒ Claim(s) 51-76 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of References Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other _____

Office Action Summary

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed July 23, 2001 have been fully considered but they are not persuasive.

Applicant argues Saito's controller only transfers address and a read instruction to the memory cartridge 12.

In reply, Saito teaches the header 50 also includes individual control data specific to the representative frames of the image data 52. The individual control data, comprises, for example, a shooting day and time or date and a picture quality mode for each frame. The picture quality mode is used to specify a data compression system employed by the image processor 22 to store image data in the cartridge 12. The picture quality mode is disposed for the following purpose. That is, when playback apparatus for playing back an image is loaded with a cartridge 12 in which the image data 52 is stored with a two-dimensional discrete cosine conversion specified, for example, the playback apparatus checks the picture quality mode so as to determine a data expansion system suitable for the picture quality mode (col. 4, lines 37-51). Thus, the Examiner notes, the picture quality mode is control data used to process the stored image data in the cartridge 12. The processing being a data expansion suitable for two-dimension discrete cosine conversion that was specified.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 51-60 and 62-71 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito (5,153,729).

As to claim 51 representative of claim 62, Saito teaches a digital electronic still camera for transferring color images to a detachable memory cartridge (col. 1, lines 10-15 and col. 2, lines 45-64), comprising:

an image sensor for generating a color image signal (col. 2, lines 50-64);

a built-in memory for storing control data for processing the color image signal (fig. 1, controller 40 contains internal storage, see col. 5, lines 60-63), which is transferred to detachable memory cartridge (col. 4, lines 37-51, teach a picture quality mode is used to specify a data compression system employed by the image processor 22 to store image data in the cartridge 12);

a detecting device for detecting an attachment of said external memory to the image pickup apparatus (col. 4, lines 56-66);

a control device 40 that transfers control data stored in the control device to the attached memory cartridge, when the attachment of the external memory is detected by the detecting device (col. 3, lines 38-56, col. 4, lines 53-66, and col. 5, lines 31-44).

As to claims 52 and 63, Saito teaches the control device transfers the control data stored in the external memory to the memory in the controller (col. 3, lines 56-66 and col. 5, lines 55-63).

As to claims 53 and 64, Saito teaches control device is operated manually when the attachment of the external memory is detected (col. 4, lines 52-66, operator depresses shutter release button).

As to claims 54 and 65, Saito teaches the control device transfers time information, at the time when the control dat is generated, together with the control data to the external memory (col. 4, lines 37-44).

As to claims 55 and 66, Saito teaches transferring image data, memory address and write and read instructions to the external memory (col. 3, lines 38-56).

As to claims 56 and 67, Saito teaches preforming white balance control (col. 3, lines 22-36, the Examiner suggest clarifying how the white balance control is being used with the detachable memory).

As to claims 57 and 68, Saito teaches transferring image data, memory address and write and read instructions to the external memory (col. 3, lines 38-56), the image data includes preprocessed white balance control.

As to claim 58 representative of claim 69, which appears to be the inverse operation of claim 51, Saito teaches a digital electronic still camera for transferring color images (i.e, plurality of images) to a detachable memory cartridge (col. 1, lines 10-15 and col. 2, lines 45-64), comprising:

a detecting device for detecting a standard image of a plurality of image data, on the basis of designation data recorded on the recording medium (col. 4, lines 37-51, a playback apparatus plays back image data (i.e., image data being standard image data of a plurality of image data) loaded on the detachable memory cartridge based on a picture quality mode (i.e., designation data));

a control device for generating a control value for processing the plurality of image data, on the basis of the standard image data detected by the detecting device, and processing the plurality of image data by using the control value (col. 4, lines 45-51 and col. 5, lines 44-50, the playback apparatus checks the picture quality mode so as to determine a data expansion system suitable for the picture quality mode (the data expansion is a control value used for processing the plurality of image data).

As to claim 59-60 and 70-71, Saito does not disclose displaying a standard image. To display a standard image is well known in the art in order review the image being processed (Official Notice). It would have been obvious to one of ordinary skill in the art to use a display because displays are well known in the art to review an image.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 73-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito (5,153,729) in view of

Saito teaches generating a control value for processing the plurality of image data, on the basis of the standard image data detected by the detecting device, and processing the plurality of image data by using the control value (col. 4, lines 45-51 and col. 5, lines 44-50, the playback apparatus checks the picture quality mode so as to determine a data expansion system suitable for the picture quality mode). Saito does not teach the control value is a white balance control value. Suzuki teaches a white balance adjusting for a pick up element to correct for variations in illumination conditions (col. 3, lines 23-37). Suzuki further teaches a detecting device (i.e., designating device, fig. 4) for detecting a standard image, based on image data of plurality image data, on the basis of control data (i.e., designated data) recorded on the frame memory (i.e., recording medium) (col. 4, lines 55-63 and col. 26, lines 38-46, a memory storing white balance control voltages); a designated image recording device for recording a designating data for designating the standard image data (col. 4, lines 55-63, a

memory storing white balance control voltages), obtaining means for processing the standard image data detected by the detecting means to obtain a control value for white balance (col. 4, lines 40-49), and a control device for white control by using the obtained control value when the image data is processed (fig. 4, elements 11 and 14).

It would have been obvious to one of ordinary skill in the art for Saito to use white balance control to correct for variations in illumination.

(The examiner suggest clarifying within the body of the claim, how the control data controls the detecting device for white balance in relation with the detachable memory.)

6. Claims 61 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (5,283,632) in view of Saito (5,153,729).

As to claim 61 representative of claim 72, Suzuki teaches a white balance adjusting circuit, comprising:

a detecting device (i.e., designating device, fig. 4) for detecting a standard image, based on image data of plurality image data, on the basis of control data (i.e., designated data) recorded on the frame memory (i.e., recording medium) (col. 4, lines 55-63 and col. 26, lines 38-46, a memory storing white balance control voltages);

a designated image recording device for recording a designating data for designating the standard image data (col. 4, lines 55-63, a memory storing white balance control voltages).

obtaining means for processing the standard image data detected by the detecting means to obtain a control value for white balance (col. 4, lines 40-49);

a control device for white control by using the obtained control value when the image data is processed (fig. 4, elements 11 and 14).

Suzuki does not disclose using a detachable memory. Saito teaches a digital electronic still camera with a detachable memory cartridge (col. 1, lines 10-15 and col. 2, lines 45-64). The detachable memory transfers control data stored in an external memory to the memory of a controller (col. 3, lines 56-66 and col. 5, lines 55-63). Saito uses a memory card to increase storage capacity. It would have been obvious to one of ordinary skill in the art for Suzuki to use a detachable memory to increase the storage capacity.

Allowable Subject Matter

7. Claims 7, 3, and 4 are allowable over the prior art of record.

8. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Control information is copied from second memory means to the first memory means when the second memory means is removed from the apparatus. When third memory means is attached to the apparatus, control information copied from second memory means to first memory means is copied from first memory means to third memory means, in combination with other limitations of claim is not shown or suggested by the prior art.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shiraishi et al. (4,855,814) teaches transferring control data from a detachable memory to a camera to control white balance.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Bella, whose telephone number is (703) 308-6829. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays. The fax number for this Group is (703) 306-5406.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

MCB
October 31, 2001

Matthew C. Bella
Primary Examiner

Matthew C. Bella